



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

Honorable J. B. Engledow
Assistant County Attorney
Limestone County
Groesbeck, Texas

Dear Sir:

overruled by
0-4238

Opinion No. 0-947
Re: Transferring territory from
independent school districts to
common school districts.

We have your letter of June 7 with brief attached,
which proved most helpful and for which we thank you, asking
our opinion upon a question stated in substance as follows:

What authority has the County Board of School Trustees
to change the boundaries of an independent school district
organized solely for school purposes by transferring territory
from said district to an adjacent common school district?

You called our attention in your letter to Articles
2766 and 2881 of the Revised Civil Statutes.

In our opinion the above mentioned statutes have been
superseded by Article 2742(f), as amended, Acts 1935, 44th
Legislature, page 790, Chapter 339, Section 2, same being a
comprehensive statute and the latest legislative enactment on
the subject providing for detaching territory from one school
district and annexing it to another, and also providing for the
creation of new districts. It applies to both common and indepen-
dent school districts.

The law pertaining to your question is fully discussed
in our opinion No. 0-278, written by Honorable Cecil C. Gamack,
Honorable William J.R. King and this writer, addressed to Honorable
Gilbert Smith, County Attorney, Jones County, Anson, Texas, and
approved in conference by this Department. A copy of said opinion
is enclosed herewith.

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We are returning to you herewith your brief and the opinion of the Department of Education as requested in your letter.

Trusting that the above satisfactorily answers your question, we are

Very truly yours

ATTORNEY GENERAL OF TEXAS

By

E. R. Simmons

E. R. Simmons
ASSISTANT

APPROVED JUL 5, 1939
ERS:AM

W. F. Moore
FIRST ASSISTANT
ATTORNEY GENERAL

